Tobacco Industry Monitoring: Expert Recommendations

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The findings and conclusions in this presentation are those of the author and do not necessarily represent the views of the Centers for Disease Control and Prevention.
Presentation Overview

- Highlight the need for tobacco industry monitoring data
- Describe a proactive approach to capture expert recommendations from research and practice
- Review selected summit excerpts relevant to state tobacco control programs (TCPs)
- Solicit feedback from state TCP representatives who attended the summit and net-conference participants
The National Policy Environment

Synar Amendment 1992
- Established age of sale: 18
- Requires annual state report detailing enforcement activities
- Penalty for noncompliance: Up to 40% SAPT Block Fund Grants
- Enforcement of youth access laws

Family Smoking Prevention and Tobacco Control Act of 2009
- Tar, nicotine and other smoke constituent disclosures
- Blocks companies from claiming FDA approval
- Prevention of tobacco smuggling
- Tobacco Product Standards: New products, Modified risk products, adulterated or misbranded products
- Limits on federal preemption against state and local regulation

MSA/STMSA 1998
- Lobbying bans on Participating Manufacturers (PM)
- Suppression of health-related research and product development bans on PM
- Misrepresentation of health consequences bans on PM
- Youth access restriction
- Marketing and advertising limitations
- Banned certain types of advertising

Public Health Cigarette Smoking Act of 1969
- Product labeling and advertising warnings
- Requires Annual FTC Report to Congress
- Preempts state and local regulation of labeling and advertising

Federal Cigarette Labeling and Advertising Act of 1965
- Enforcement of youth access laws

Universe of Possible State, Local Policies
Preventing Initiation of Tobacco Use Among Young People

Goal Area 1

**Inputs**
- State health department and partners
- Counter-marketing
- School-based prevention
- Policy and regulatory action

**Activities**
- Community mobilization (1)
- Counter-marketing (2)
- School-based prevention (3)
- Policy and regulatory action (4)

**Outputs**
- Completed activities to reduce and counteract pro-tobacco messages (1)
- Completed activities to disseminate anti-tobacco and pro-health messages (2)
- Completed activities to increase tobacco-free policies and use of anti-tobacco curricula in schools (3)
- Completed activities to increase restrictions on tobacco sales to minors and to enforce those restrictions (4)
- Completed activities to increase cigarette excise tax (5)
- Reduced tobacco industry influences (9)

**Outcomes**

**Short-term**
- Increased knowledge, improved anti-tobacco attitudes, and increased support for policies to reduce youth initiation (6)
- Increased anti-tobacco policies and programs in schools (7)

**Intermediate**
- Increased restriction, enforcement of restrictions on tobacco sales to minors (8)
- Reduced susceptibility to experimentation with tobacco products (10)
- Decreased access to tobacco products (11)

**Long-term**
- Reduced initiation of tobacco use by young people (13)
- Reduced tobacco-use prevalence among young people (14)
- Reduced tobacco-related morbidity and mortality (15)
- Decreased tobacco-related disparities (16)
Reduced tobacco industry influences

- 1.9.1 Extent and type of retail tobacco advertising and promotions.
- 1.9.2 Proportion of jurisdictions with policies that regulate the extent and type of retail tobacco advertising and promotions.
- 1.9.3 Extent of tobacco advertising outside stores.
- 1.9.4 Proportion of jurisdictions with policies that regulate the extent of tobacco advertising outside stores.
- 1.9.5 Extent of tobacco industry sponsorship of public and private events.
- 1.9.6 Proportion of jurisdictions with policies that regulate tobacco industry sponsorship of public and private events.
Reduced tobacco industry influences

1.9.7  Extent of tobacco advertising on school property and near schools.

1.9.8  Extent of tobacco advertising in print media.

1.9.9  Amount and quality of news media stories about tobacco industry practices and political lobbying.

1.9.10 Number and type of Master Settlement Agreement violations by tobacco companies.

1.9.11 Extent of tobacco industry contributions to institutions and groups.

1.9.12 Amount of tobacco industry campaign contributions to local and state politicians.
TI Monitoring: Addressing a Need for Data

- Surveillance
- Enforcement
- Evaluation
- Planning
- Media
- Policy
Epidemiologic Model of Tobacco Control and Nicotine Addiction

Source: Orleans & Slade, 1993; Giovino 2002
OSH Tobacco Industry Monitoring Summit

An approach for capturing expert opinion
Tobacco Industry Monitoring Internal Workgroup

- Representatives from each OSH Branch and the Policy, Planning and Coordination Unit:
  - CDC:
    - Steve Babb
    - Susan Brown
    - Shanta Dube
    - Marti Engstrom
    - Erika Fulmer
    - Nicole Kuiper
    - Robin Scala
  - Public Health Institute:
    - Todd Rogers
Summit Purpose

To capitalize on opportunities presented by the Family Smoking Prevention and Tobacco Control Act, OSH is working to clarify its strategic priorities in the new environment and to enhance and create effective monitoring systems that will inform program and policy efforts.

Key issues:

- Clarify areas critical to reducing tobacco industry influences
- Inform possible development of appropriate surveillance and evaluation approaches
Summit Objectives

- Invite distinguished tobacco control experts from research and practice to provide:
  - In-service for OSH staff to enhance understanding of the issues
  - Guidance on:
    - Opportunities and options for monitoring the actions and influences of the tobacco industry;
    - Potential challenges and feasibility issues that need to be addressed prior to the implementation of monitoring efforts.
Summit Attendees

- 68 CDC participants
  - 70% of OSH Managers
- A representative from the National Cancer Institute
- 19 invited tobacco control experts...
Invited Experts

Victoria Almquist, MEd
Campaign for Tobacco-Free Kids

Lois Biener, PhD
Center for Survey Research

Douglas Blanke, JD
Tobacco Control Legal Consortium

Jamie Chriqui, PhD, MHS
University of Illinois-Chicago

Michael Cummings, PhD
Roswell Park Cancer Institute

Karen DeLeeuw, MSW
Colorado Department of Public Health and Environment

Lori Dorfman, DrPH
Berkley Media Studies Group

Matthew Farrelly, PhD
RTI International

Ellen Feighery, MS
Campaign for Tobacco-Free Kids

Gary Giovino, PhD, MS
University of Buffalo,
State University of New York
Invited Experts (cont.)

Lisa Henriksen, PhD
Stanford University School of Medicine

Andrew Hyland, PhD
Roswell Park Cancer Institute

Lois Keithly, PhD
Massachusetts Department of Public Health

Ruth Malone, RN, PhD
University of California-San Francisco

Kurt Ribisl, PhD
University of North Carolina-Chapel Hill

April Roeseler, MSPH
California Tobacco Control Program

Karla Sneegas, MPH
Indiana Tobacco Prevention and Cessation Agency

Jeffrey Willett, PhD
New York State Tobacco Control Program

Leslie Zellers, JD
Public Health Law & Policy
Focusing the Discussion

1. Scan of the literature and informal consultation resulted in 20+ potential topic areas.

2. Considered focus area alignment with OSH priorities:
   - OSH Goal Areas
   - MPOWER
   - MAPPS
   - Healthy People Objectives
   - Promising Practices

3. OSH TI Monitoring Workgroup rated focus areas as high, medium, low priority.

4. Eliminated low priority topics and grouped remaining topic areas into 6 clusters.
Clusters and Focus Areas

Advertising
- Retail advertising
- New and other tobacco products
- Electronic media forums

Pricing
- Price discounts and bonus cigarettes
- Retail slotting and trade allowances
Clusters and Focus Areas

Impact on the Consumer
- Survey-based measurement issues at National and State levels
- Tobacco related attitudes and use

Impact on the Public
- Tobacco industry interference
- Lobbying, contributions and corporate social responsibility
- Sponsorship
Clusters and Focus Areas

Retail Distribution
- Store type, number, density
- Retailer licensing

Alternative Distribution
- Tax evasion and counterfeits
- Internet sales of tobacco
Summit Agenda

- Repeated presentation format:
  - Cluster rationale statement
  - Topic area presentation with recommendations for monitoring at the national and local/state levels
  - Follow-up point/counterpoint discussion
  - Interactive discussion of relevant monitoring opportunities and challenges
Summit Excerpts

Selected discussion points pertinent to State Tobacco Control Programs
ADVERTISING

- Causal relationship between tobacco advertising and promotion and increased tobacco use (NCI, 2008; Pierce, 2007)
- Important to assess:

  - Nature and type of tobacco marketing over time
  - Targeted marketing and marketing of new products
  - Compliance with laws
  - Need for new/different policies
  - Impact of policy and programmatic interventions
Selected Expert Recommendations

ADVERTISING

- States pursuing relevant policy initiatives should monitor progress and impact.
- Monitoring of new and other tobacco products could be incorporated in existing functions such as SYNAR.
- States may want to consider capturing data on tobacco consumption resulting from electronic media advertising.

CAUTION: States should consider need and use of data before diverting resources from other important areas to invest in novel tobacco industry monitoring systems.
State Feedback

April Roeseler, MSPH
California Tobacco Control Program
Summit Excerpts: Rationale

PRICING

- Greater availability of cigarette promotions and lower cigarette prices are associated with increased initiation and uptake among youth and decreased quit attempts among current smokers (Slater et al. 2007; Henriksen et al. 2008; Pierce, 2007)

- Industry uses a “push-pull” approach:
  - “Pull” component uses price discounts, coupons, two-for-one promotions, and gifts with a purchase to encourage consumer purchase
  - “Push” component involves offering volume discounts and merchandising payments to urge retailers and wholesalers to aggressively sell products to consumers
Selected Expert Recommendations

PRICING

- TCPs may want to consider a price surveillance system that’s able to monitor prices and promotions at state and local levels.

- States could consider passing “sunshine” laws to require disclosure of retail slotting and trade allowances.
State Feedback

Lois Keithly, PhD
Massachusetts Tobacco Control Program
Summit Excerpts: Rationale

IMPACT ON CONSUMER

- Changes in the normative beliefs listed below are associated with changes in smoking initiation among youth (Henriksen et al. 2010)
  - perceived prevalence of tobacco use,
  - perceived access to tobacco products,
  - perceived harms of tobacco use, and
  - perceived approval

- These normative beliefs are shaped by receptivity to TI influences and pro-tobacco media exposure
Selected Expert Recommendations

IMPACT ON CONSUMER

- Expert recommendations focused on national level surveillance systems. However, experts highlighted the need for additional information on the following constructs:
  - Internet use
  - Public’s view of tobacco industry
  - Emerging patterns of use
  - Dual product use
  - Perceptions/misperceptions about products
Summit Excerpts: Rationale

IMPACT ON PUBLIC

- The tobacco industry uses a number of tactics to:
  - Undermine effective public health policy
  - Neutralize potentially opposing groups
  - Locate allies to promote bad policies or remain silent on good ones

Tactics include:

- Philanthropy and partnerships
- Sponsorship
- Corporate social responsibility and public relations campaigns
- Political contributions
- Front groups to oppose policy efforts
- “Sham” prevention and cessation programs
Selected Expert Recommendations

IMPACT ON PUBLIC

- Important information for states to capture and consider:
  - Data on smaller tobacco manufacturers including geographic location, funders, suppliers, and members of their boards
  - Major recipients of tobacco industry funding
  - Role of gaming industry as a “front group” for the tobacco industry
  - Impact of tobacco industry on “fiscal notes” when legislation is introduced
State Feedback

Karla Sneegas, MPH
Indiana Tobacco Prevention and Cessation
Retail outlets are the number one source of tobacco product sales among adults and youth and account for the bulk of tobacco industry marketing and promotional expenditures (FTC, 2009; Ribisl et al., in press; Lavack et al., 2006).

The Economic Census Report identifies over 50 different store types selling tobacco products (U.S. Census Bureau, 2002).

Tobacco stores account for 87% of tobacco products sales and play a major role in (Ribisl et al., in press):

- Point-of-sale advertising by the TI industry
- Sale of contraband items
- Sale to minors
Summit Excerpts: Rationale

ALTERNATIVE DISTRIBUTION

- Evading cigarette excise taxes reduces the price for the consumer and defeats government health initiatives (Framework Convention Alliance, 2008; Kim et al. 2006; Chriqui et al. 2008; Joossens & Raw, 2008; Luke et al. 2008)

- Four primary types of alternative distribution:
  - Individual tax avoidance
  - Bootlegging
  - Large-scale organized smuggling
  - Counterfeiting
Selected Expert Recommendations

RETAIL AND ALTERNATIVE DISTRIBUTION

- Strong retail licensure with collaboration between state TCPs and state licensing agencies to:
  - Develop licensee databases with retail addresses that can be shared
  - Revise licensee requirements to capture terms and agreements between tobacco retailers and tobacco companies

- Implement multiple methods to assess extent of tax avoidance, illicit trade, etc.
  - State specific surveys
  - Purchase surveys
  - Epidemiologic surveys to assess purchase behaviors
State Feedback

Jeffrey Willett, PhD
New York Tobacco Control Program
Looking forward…

Unprecedented role for surveillance and evaluation to complement policy and advocacy work
Discussion
References


Henriksen, Lisa, Feighery, Ellen C., Schelicher, Nina C Cowling, David W., Kline, Randolph S. and Fortmann, Stephen P. (2008) “Is adolescent smoking related to the density and proximity of tobacco outlets and retail cigarette advertising near schools?”, Preventive Medicine, 47: 210-214


Questions?

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